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H – 1056

International Court of Justice

H1056-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

SUBMISSION OF AFFIDAVITS BY THE DEFENSE PURSUANT TO THE ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

29 ~~28~~ July 1946

COMMISSIONER:

Mr. George R. Taylor

CORPS OF POLITICAL LEADERS

(The Commission convened at 1000 Hours)

COMMISSIONER TAYLOR: How many affidavits do you have, doctor?

DR. GRUBE: Dr. Grube for Dr. Servatius. I have eleven affidavits.

COMMISSIONER TAYLOR: Go ahead, doctor, proceed with your affidavits.

DR. GRUBE: I'm submitting eleven affidavits numbered 24 to 34, pertaining to the general problem of composition, function, and authorities of the Political Leaders. I have briefly summarized the contents of these affidavits. I have produced a brief summary pertaining to each one of these affidavits. In order to save time, I have agreed with the court stenographers that I will not read the summaries in German. The contents of these summaries will be read in English only. The German text has been given to the German court stenographer; however, I beg to have the verbatim transcript of the summaries contained in the German as well as the English transcripts.

COMMISSIONER TAYLOR: Very well.

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DR. GRUBE: I'm submitting affidavit #24 by KARL HEDERICH, dated 9.7.46. It treats the question of how large a number of Political Leaders is ~~background~~

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put under charges by the prosecution. Hederich was a member of the Reich Leadership of the NSDAP. He was a deputy chairman of the Party official examination commission for NS-publications from 1934 to 1945. In this quality, he had also to treat statistical material and to summarize it. He is well informed pertaining to the question treated in his affidavit. It is known that the prosecution assumes that the charges against the so-called "Corps of Political Leaders" and comprizes of ~~6000x00~~x 600,000 individuals. Hederich, however, shows in his affidavit that the number of Political Leaders who come under the charges in reality amounts to at least 1,540,000 people. Hederich states explicitly that this number is a very low one, and that he has taken into consideration the fact that sometimes a person had fulfilled several functions in the Party simultaneously. In consideration of the importance which the decision of the Tribunal will have, I believe it necessary that the affidavit should be translated. The parts of it which should be translated are marked in blue. I should like to apply for translation of this.

COMMISSIONER TAYLOR: Any objection to the submission of the affidavit?

COL. ORLOV: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked PL-24 and mention be made of the request by the defense counsel that same be translated.

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DR. GRUBE: I now submit affidavit #25, pertaining to the question as to what was the significance of the Organization Book in reality. Three affidavits are available which are complementary to each other. Each one of the affidavits explains a different point. We have the first of the three affidavits with the number 25. It was submitted on the 26th of June 1946 by FRIEDRICH SCHMITT. Friedrich Schmitt was deputy Gauleiter of Wuerttemberg from 1933 to 1937. Since the first of May 1937, he was chief of the central

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training amt in the Reich organization leadership. In his affidavit Schmitt proves that he has discussed again and again with the author of the Organizatioh Book Mehnert, about the contents of the book. According to his affidavit, Schmitt has explained to Mehnert repeatedly. First, he was aware that the Organization Book does not reflect the actual situation within the Party. Second, the Organization Book was edited and constructed the way the organization should be constructed only in the future.

COMMISSIONER TAYLOR: Are there any objections to the affidavit?

COL. ORLOV: No.

COMMISSIONER TAYLOR: Let the affidavit be marked PL-25 for identification. No request for translation of the affidavit?

DR. GRUBE: No.

COMMISSIONER TAYLOR: Let's recess for about thirty minutes.

Recess: 1030 hours

Com A
Take 2, page 1
Cook
1100 - 1200
29 July 1946
Affidavits

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DR. GRUBE: Affidavit No. 26, dated 10 July 1946, submitted by the former organization leader of the Gau Munick, upper Bavaria, Adam Foertsch.

Summary: It first declares that the organization book is merely thought out instructions and summary of the plans for the future of the Reich Organization Leaders and experts.

In order to prove that the Reich Organization Leader himself, that is to say, the editor of the book, considered the organization book merely a theoretical work, Foertsch gives the following example:

1. Never has there been any directive of the Reich Organization Leaders became known which required that the matters written in the organization book was actually to be executed or put into practice.

2. The Central Personnel office of the Reich Organization leaders only has given a part of the plans or positions in the ampts which were provided in the organization book in order that they may be filled.

3. If the intention of the Reich Organization Book Leaders would have been not merely plans as shown in the organization book but the final judgment of the party organization, there would haye been no reason for the corrected editions of the organization book which appeared within very brief intervals as issued by Dr. Ley.

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Foertsch further explains that the organization book did not correspond to the real situation within the party and that it had been read by only a few political leaders.

Finally, Foertsch shows that the party offices rejected sharply the plans of the Reich organization leaders as summarized in the organization book. They declared them untenable since the channels of authority as shown in the organization book were much too sketchy and did not take into consideration in any way at all the difference of the gau Kruse. That would have taken away from the party the required mobility and the possibility to adapt themselves to the prevailing situation.

MR. TAYLOR: Is there any objection to the affidavit as submitted?

COLONEL ORLOV: No.

MR. TAYLOR: Let the affidavit be marked Political Leader No. 26 for identification.

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DR. GRUBE: The third affidavit pertaining to the organization book is No. 27. It is dated the 26th of July 1946 and comes from Hederich and as previously shown by me he was a deputy of the party official examination commission of N S publications.

In this affidavit Hederich shows thefollowing:

1. The Fuehrer himself did not agree to any part of the organization book. He did not wish to make

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final decisions pertaining to the organizati on s tructure of the party. Hitler, however, appr eciated the fact that the Reich Organization Leader Ley needed a preliminary working basis. Only for this reason, that Dr. Ley needed a preliminary working basis, was the organization book published.

2. Hederich further shows in the affidavit that he himself discussed with the author of the organization book Mehnert why Mehnert had inserted the block and zellen leiters under the hoheitstraeger, while according tonthe directives of the fuehrer and the d eputy of the fuehrer the block and zellen leiters were not hoheitstraegers.

Mehnert during this conference has explained:

(a) The insertion of block and z ellen leiters in his organization book, among the hoheitstraeger was merely a matter of purely organizational form. In the matter itself, that is to say, the position of the block and zellen leiters it should not have beenchanged in any way by the insertion of the block and zellen leiters among the hoheitstraeger in the organizati on book.

(b) On the basis of the affidavit of Hederich Mehnert gives the following reasons for the insertion of the block and zellen leiters among the hoheitstraegers in the organization. If Mehnert did not insert the block and z ellen leiters among the hoheitstraegers in the organization book, the organizati on book besides the real

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hoheitstraeger and their co-workers would require the introduction of a third position category of political leaders. He instead avoided that.

(c) On the basis of the affidavit by Hederich Mehnert explains that in no case should a collective responsibility as typical of the hoheitstraeger be extended to bhe block and zellen leiters by their insertion under hoheitstraegers in the organization book.

3. Hederick finally in his affidavit explicitly states:

(a) In practice block and zellen leiters never could exercise the rights of real hoheitstraegers or were permitted to exerfise them.

(b) Ortsgruppenleiters were the last hoheitstraegers toward the bottom, that is, the last political leaders with collective responsibility within the spatial areas, right of meetings and disciplinary authority.

Considering the significance of the affidavit I request that it be translated.

MR. TAYLOR: Let the affidavit be marked Political Leader No. 27 and the request of counsel that the same be translated in full is noted in the record.

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DR. GRUBE: The next affidavit originates with Adam Foertsch and is No. 28. He is the former gau organization leader of gau Munich in upper Bavaria.

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1100 - 1200
29 July 1946
Affidavits

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In this affidavit No. 28, dated the 26th of July, 1946, Adam Foertsch shows the following:

There never was a corps of political leaders, that is, an organizational collection or something resembling a corps of political leaders. The political leaders were nothing else but party members who were commissioned with the rank of political leaders without their having any special organizational characterization on that basis.

Because of their difference in personal characteristics, on the basis of the difference of their functions and on the basis of the manifold organizations within which they exercised these functions the political leaders were differentiated as a number of people and that they could never have been in practice a corps with an unified idealogy and attitude as for instance the officers corps. The affidavit by Foertsch expresses the fact that the political leaders never could have been put into one organization by the deputy of the leaders which prohibited the characterization "O" for the collectivity of the political leaders, and that the official designation of the political leaders did not read "members of the corps of the political leaders" and "political leaders of the NSDAP."

Second, in his affidavit No. 28, Foertsch remarks further who, on the basis of Nazi terminology was a political leader. He explains that it was very necessary to differ-

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entiate between function and rank. Those who were commissioned with the rank of a political leader were also called political leiters. Only a fraction of the people who performed a function in the party were commissioned political leaders. As an example, Foertsch cites that according to an estimate, the Gau Munich in Upper Bavaria, had about ttwenty per-cent of those people who were functionaries of the party as political leaders. The remaining eighty per-cent never were commissioned political leaders though they fulfilled exactly the same function as the party members who had been commissioned political leaders.

Furthermore, Foertsch in his affidavit states that the area of activity, the authority and responsibility of those people who were functionaries of the party did not depend upon their having been commissioned with the rank of political leaders and which rank they were commissioned with. Important only was the function and not the political leader rank. An example given by Foertsch shows that a party member who, for instance, was commissioned with the leadership of an orts gruppe and who was given a commission with the corresponding political leader rank had the same authority and functions as an ortsgruppen leiter who was never commissioned with the political leiter rank.

Furthermore, Foertsch shows in his affidavit that the party officials which called someone to a function within the party were not identical with those offices

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which commissioned someone with the political leader rank.

For example he gives:

The ampt of the Gau Munich leader was handed out by the gauleiter, whereas the commission of the political rank as Gau Munich leader was issued by the leader.

Finally, Foertsch states that if any party member on the basis of his being a member of the NSDAP had accepted any function within the party to which he was called, the decision of whether such a functionary should also be commissioned with a rank of a political leader was only up to the hoheitstraeger without the functionary himself having any influence whatsoever.

DR. GRUBE: Since the problem of who is a political leader is one of the focal problems of the trial I believe it necessary that the affidavit Foertsch which treats this question thoroughly should be translated in full.

MR. TAYLOR: If there is no objection to the affidavit, it will be marked Political Leaders No. 28 and the request of Defense Counsel that the same be translated is noted.

Doctor, it appears that you are not writing a summary on these but you are giving more or less a great part of the affidavit.

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DR. GRUBE: The following ones are very much more concise and I could not make the other ones shorter. Foertsch gives a very, very long affidavit and I have discussed it with Mr. Foertsch and asked him to concentrate it, otherwise it would be too long and I wanted to bring the attention of the Commission to parts of the contents and put it into the record.

MR. TAYLOR: Let the affidavit be marked Political Leaders No. 28.

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DR. GRUBE: In this connection, I am submitting affidavit No. 29, dated 26 July, 1946, from Von Max Davidts, who at the last was the leader of the Ampt for propaganda speakers and sitting in the central office of the Reich Propoganda Leadership of the NSDAP.

Firstly, Davidts shows in this affidavit what the tasks of the propaganda speakers consisted of. However, the greatest importance of this affidavit is contained in Davidts showing explicitly that there was no political leader rank for the gau and Reich speaker of the party. Consequently the propaganda speakers of the party were not political leaders. If a speaker for the party was a political leader he was only a political leader in such cases when a political leader, besides being a speaker for the Reich also had another commission in the party and was commissioned in the political leiter rank on the basis of

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that function.

MR. TAYLOR: If there is no objection the affidavit will be makked Polttical Leaders No. 29 for identification.

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DR. GRUBE: The next affidavit submitted by me is affidavit No. 30 from Alfons Schaller. During the procedure before the Commission the Prosecution has submitted document Organization No. 12-d-901 A, a circular of the gau organization at Cologne, dated 31 January, 1941. Two affidavits were submitted pertaining to this circular. One affidavit originates with Alfons Schaller, dated the 12th of July 1946.

Alfons Schaller was kreis leiter of the Kreis of Cologne from 1933 to 1945. He shows in his affidavit the following facts:

1. Schaller states that during the permanent inspection and controls of the orts gruppe, of which he was in charge, the card index was used solely in order to collect statistical figures and to summarize them. These statistical facts were needed when questions came up pertaining to children, assistants, marriage loans, issuance of ration points and so on.

2. Alfons Schaller explains explicitly that the household card index as required by the circular dated the 31st of March 1941, never was enlarged to a political card index in any single ortsgruppe under him.

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MR. TAYLOR: What is the point of these affidavits?

DR. GRUBE: The prosecution charged the household card indexes were used as political card indexes. To prove this, the Prosecution submitted the document organization 12-D-901 A dated the 31 January 1941, a circular of the gau organization of Cologne.

MR. MARECOO: The submission of the document by the prosecution was that the card indexes were the basis of the spy system for the political leaders and I think this affidavit is relevant.

MR. TAYLOR: Proceed with it then:

DR. GRUBE: Schaller expressly states that he had never found any orts gruppe having over-stepped this prohibition.

3. Furthermore, Alfons Schaller explains explicitly that the lists which were requested by the circular dated 31 January, 1941, were requested by the block and zellen leiters and were not mentioned in any single orts gruppe. Against that circular the card index of the orts gruppe was kept current by the individual households receiving questionaires to be filled out by them.

4. Finally, Alfons Schaller explains that the political forms were exclusively a matter pertaining to the kreis leiter. The kreis leiters here used the services of the chief of the kreis personnel office. The last mentioned procured the necessary data from the ortsgruppen leiters. Schaller

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assures most definitely that the block and zellen leiters had nothing to do with the procurement of the material for the political form. The material was procured exclusively by the ortsgruppen leiter who again used the chief of the personnel office for that purpose.

DR. GRUBE: I request a translation of this affidavit because it is very important as it is marked in blue.

MR. TAYLOR: If there is no objection the affidavit as submitted will be marked Political Leaders No. 30 for identification and the request of Defense Counsel for a translation will be noted in the record.

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DR. GRUBE: Affidavit No.31, by Richard Schaller. This affidavit pertains to the circular of the Gau Organizations Office, Koeln-Aachen dated 31.1.1941. The affidavit is dated 2.7.46 and has received Affidavit Number 31. Richard Schaller was deputy Gauleiter of the Gau Koeln-Aachen from 1932 to 1945. In his affidavit Richard Schaller makes the following statement:

First, he is completely ignorant of the circular dated 31 January 1941.

Second, it is true that at one time or the other investigations were made, as to who had subscribed to the "Voelkischen Beobachter". But the purpose was only to ascertain the number of the subscribers of that publication. No political purposes followed with that. If the latter would have been the case it would not have been an investigation as to who subscribed to the Voelkischen Beobachter, but it would have been found out who subscribed to the official party organ of Western Germany, which was the Westdeutschen Beobachter.

Third, no political intents of any kind were inherent in the investigations as to what radio apparatus was available in the individual households. One only wanted to find out figures for possibly instituting common listening meetings during important radio broadcasts.

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Fourth, on the basis of the directives of the deputy of the leader in the Gau Koeln-Aachen also, it was not the lower political leiters who were competent for issuing so-called "political judgments", but it was exclusively a matter Hoheitstraeger, and not for Ortsgruppenleiter Aufwaerts, but from Kreisleiter Aufwaerts.

Fifth, affidavit dated 31.1.1941 further requested that the household card index was to contain data pertaining to the procurement of the Swastika flag; further, data pertaining to church affiliations; pertaining also to behavior during one dish and other collections, those directives which can be put only to the account of arbitrary actions on the part of the Gau Organizations Leader, Lindau.

Finally, Schaller says in his affidavit that the publisher of this so-called circular had suffered from a severe automobile accident, and that this accident had serious consequences on Lindau which caused the Gauleitung finally to consider the mental balance of Lindau.

MR MARRECO: I don't think that that is very relevant, sir.

COMMISSIONER: Who makes this affidavit?

DR GRUBE: It comes from the Deputy Gau Leader, Richard Schaller. In my opinion, I believe

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that Schaller, Deputy Gau Leader, must have been well aware of what circulars were issued, and what their contents were. And furthermore, what was presumably in these circulars and how far it corresponded to the directives issued by the Party authorities. For these reasons this witness is a very important one, to us. We were not able to have him here before the Commission, and that is why we present his affidavit.

COMMISSIONER: What about his mental state?

DR GRUBE: That is not the mental capacity of the witness which was referred to, but of his chief, whose deputy he was. The man who issued the circular, not the one who made the affidavit.

MR MARRECO: No objections.

COMMISSIONER: Let the affidavit be marked POLITICAL LEADERS NO. 31 for identification.

* * * * *

DR. GRUBE: Affidavit 32.

The prosecution has submitted Document D-728. It is an alleged circular of the Gauleiter Sprenger dated 15 March 1945, addressed to the Kreisleiter of the Gau Hessen-Nassau, and a further circular of Sprenger which is not dated. I am submitting two affidavits pertaining to this document. The first No. 32 was given by WLATER HEYSE dated 23.7.1946. Since 1925 Heyse was ac tive as closest co-worker of Sprenger

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in the Gauleitung Hessen-Nassau. He was subsequently Gaugeschaeftsfuehrer, Gaupropagandaleiter, Gauorganisationsleiter, Gauinspekteur, Adjutant des Gauleiters Sprenger, and chief of the Gaupersonal.

Heyse states that he is completely aware of Gauleiter Sprenger's manners, his way of expressing himself and the form in which his circulars, etc., were issued. Heyse states explicitly in his affidavit that for this reason he can give competent testimony as to Document No. D-728, the alleged circulars. Pertaining to the external form of these two circulars, Heyse states that as regards style as well as grammatical errors - they are so completely false, those documents, that they could not possibly have emanated from an author who is acquainted with the German language. Heyse states primarily that it was not usual for Party office terminology to address Ortsgruppenleiter, Kreisleiter, and so on, as "Herr" Ortsgruppenleiter, etc., or to use that form in writing. They were merely addressed by their titles. Furthermore Heyse points out that Sprenger, the alleged author of these two circulars, was - as a former civil servant and officer, exceedingly and personally correct where the form and signatures of such writings were concerned; and that he corrected even the smallest errors - if it was merely a matter of punctuation, so that it is unthinkable that the two

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circulars, with their innumerable errors of expression and punctuation, originated from him, or that he would even have signed them.

As to the contents of the two circulars, Heyse explains that in the internment camp he has spoken to more than one hundred political leaders. Not one of these political leaders has heard anything pertaining to the contents of those circulars. Heyse himself never has heard anything of the kind. He states that the contents of both circulars are thoroughly contradictory to the entire attitude and conduct of Sprenger.

In conclusion, Heyse states that because of his exact knowledge of things, being a close collaborator with Sprenger for many years, it is completely impossible that Sprenger has published these two circulars.

May I make a statement pertaining to this affidavit?

It is requested that this affidavit also be translated, because charges made on the basis of these circulars are so completely incriminating to the political leader - and therefore I believe we should be permitted to express our opiniong pertaining to the origin of these documents. The copy

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of the affidavits have set off in blue pencil marking, the various matters which are most important to us. The original also has the same markings in blue.

I request translation of this affidavit.

COMMISSIONER: Will you advise the Commission as to the statement in the affidavit pertaining to the affiant speaking with one hundred political leaders in the internment camp?

DR. GRUBE: It deals with the document of March 1945; and also an undated document. Both documents show only the typewritten name of Sprenger, and not his signature. Both circulars are addressed to the Kreisleiters, and both circulars fail to show in their external form, correspondence with the Party official terminology and makeup.

COMMISSIONER: But the question is -- did the affiant speak with the 100 political leaders in the internment camps?

DR. GRUBE: Yes, that is what the affidavit says.

COMMISSIONER: Any objections to the affidavit? (No objections).

Let the affidavit be marked POLITICAL LEADERS NO. 32 for identification, and request of the defense counsel for translation be noted in the record.

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DR. GRUBE: Affidavit No. 33, by DR. PAUL STEINHAUSER.

The second affidavit pertaining to Document D-728 comes from Dr. Paul Steinhauer. It was submitted 26.7.1946, and we marked it with No. 33.

In his affidavit Dr. Steinhauser states, firstly, that the defense attorney has shown him photostats of document D-728. Furthermore, he explains that 41 affidavits originating from former political leaders of the Gau Hessen-Nassau were shown him, in the original. Based on statements of Dr. Steinhauser, these 41 affidavits originated with 3 Kreisleiters, 16 Ortsgruppenleiters, 2 Kreisamtleiters and 20 Ortsgruppenamtleiters. Dr. Steinhauser in his affidavit assures as follows:

First, in their affidavits the entire 41 political leiters of the Gau Hessen-Nassau state that they were informed of the alleged circular of Kreisleter Sprenger for the first time during the visit of the defense counsel in April 1946, or that they came to know of it from a newspaper article in March 1946.

Second, up to the time of capitulation none of the 41 political leiters had become aware that Gauleiter Sprenger had ordered that the Kreisleiters were to retire to the interior of the Reich at the

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approach of the enemy, that files, etc., were to be destroyed.

Thirdly, none of the 41 political leaders knew anything about the so-called peoples' X-Ray examinations with the purpose of destroying sick people.

Fourth, none of the 41 political leaders, particularly not the Kreis or Ortsgruppenleiters, were acquainted with the fact that political leaders and their wives had received more rations at any time, or were to be issued more rations.

Fifth, Document D-728, on the basis of its external appearance, cannot be a Party official letter.

Sixth, sentence structure and style of Document D-728 contain an unusual number of errors against the general German language usage and Party official terminology.

Seventh, the contents of Document D-728 is absurd and in all its points contradicts the orders of the Party.

Eighth, the form and content of Document D-728 make it easy to recognize that this is a forgery.

Translation of this document is requested because of its importance.

COMMISSIONER: Any objections?

(No objections)

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COMMISSIONER: Let the affidavit be marked POLITICAL LEADERS NO. 33 for identification.

The request of counsel for translation of the affidavit is noted in the record.

* * * * *

DR. GRUBE: The last affidavit submitted by us, is an affidavit of Dr. Volkmenn pertaining to the Party courts. The last affidavit, No. 34. It is dated 14.7.46. Affiant was Chairman of the Supreme Party Court of the NSDAP, from 1.11.41-1945. In his affidavit, affiant treats of the problem as to whether Party judges were political leaders. His most important statements can be summarized as follows:

1. The party courts were purely honor courts which were competent exclusively for Party members.

2. During his time of office the Party judge was not permitted to exercise any Party function, or to belong to any Party organization.

3. Secondly, party judges were not subordinate to the disciplinary authority of the Hoheitstraeger. The Party judges, Hoheitstraeger had no command authority, nor the right to issue directives.

4. Up to the 31st of December 1942 the special position of the Party judges was expressed also in the uniform, since contrary to the political leaders ~~xhex~~ they all wore blue velvent collar patches with

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their uniform.

5. After new directives were issued on the 1st of January 1943, the Party judges still were not political leaders. They were only to be assimilated to the political leaders corresponding to rank and position. Not even that, however, was put in practice.

6. The seventh edition of the Organization Book of the NSDAP for the year 1943 contains an article entitled "Party Judges and Political Leaders". This Organization Book also, which was issued after new directives had been published, shows the Kreis and Gau courts corresponding in rank to the political leaders in contrast to the way it was shown in previous editions. But they are still outside of the staff of Kreis and Gauleiters.

7. Thus, at no time were the Party judges accounted as belonging to the staff of the Hoheitstraeger; consequently, they do not belong to the political leaders in the sense of the customary Nazi terminology.

There are only very few parts of this affidavit to be translated, as marked in blue. Since this is practically the only person making a statement pertaining to Party judges I would appreciate it if my request would be

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granted, for the translation of those parts.

COMMISSIONER: Any objections?

(No objection)

COMMISSIONER: If I understand correctly, this affidavit is from a Judge of the Nazi Party Court?

DR GRUBE: Yes, it comes from the Chairman of the Supreme Party Court.

COMMISSIONER:..... And represents the attitude and opinions of the Judges of the Party?

DR. GRUBE: ....Who, by the verbatum words of the prosecution, would come within the charges levelled against the political leaders in the indictment filed before the Tribunal.

COMMISSIONER: Let the affidavit be marked POLITICAL LEADERS NO. 34 for identification. And the request of defendant's counsel for translation is noted in the record.

* * * * *

DR. GRUBE: No further affidavits.

COMMISSIONER: No further affidavits to be presented on the part of the political leaders this week?

DR. GRUBE: Yes, there are affidavits pertaining to the trade associations, professional associations, etc.

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COMMISSIONER: When will you have them, Dr. Grube?

DR. GRUBE: We could continue this afternoon.

COMMISSIONER: That includes your summary?

DR. GRUBE: No, I have nothing to do with it, really, but they will be ready tomorrow, I understand.

COMMISSIONER: I am pretty sure that you understand that summaries of the affidavits in the compound are to be prepared by the defense ready to submit to the Commission by Wednesday. I understand you have more affidavits for this afternoon.

DR. GRUBE: It will not be myself, but Dr. Link, or Dr. Kraus.

COMMISSIONER: The Commission will adjourn now until two o'clock.

* * * * *

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The foregoing is a true and correct transcript of the submission of Affidavits by DR. GRUBE, taken on 29 July 1946.

B. Winkler
Reporter (pp 1-3

Loop
Reporter (pp 4-14

Pulaski
Reporter (pp 15-24

CERTIFIED TO :

Leo Kiley Cor.
Commiss ioner

H1056 - 0029

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

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29 July 1946.

COMMISSIONER:

Mr. George R. Taylor.

CORPS OF POLITICAL LEADERS

(The Commission convened at 1000 Hours)

COMMISSIONER TAYLOR: How many affidavits do you have, doctor?

DR. GRUBE: Dr. Grube for Dr. Servatius. I have eleven affidavits.

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COMMISSIONER TAYLOR: Very well.

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DR. GRUBE: I'm submitting affidavit #24 by Karl Hederich, dated 9.7.46. It treats the question of how large a number of Political Leaders is put under charges by the prosecution. Hederich was a member of the Reich Leadership of the NSDAP. He was a deputy chairman of the Party official examination commission for NS-publications from 1934 to 1945. In this quality, he had also to treat statistical material and to summarize it. He is well informed pertaining to the question treated in his affidavit. It is know that the prosecution assumes that the charges against the so-called "Corps of Political Leaders" comprises 600,000 individuals. Hederich, however, shows in his

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affidavit that the number of Political Leaders whocome under the charges in reality amounts to at least 1,540,000 people. Hederich states explicitly that this number is a very low one, and that he has taken into consideration the fact that sometimes a person had fulfilled several functions in the Party simultaneously. In consideration of the importance which the decision of the Tribunal will have, I believe it necessary that the affidavit should be translated. The parts of it which should be translated are marked in blue. I should like to apply for translation of this.

COMMISSIONER TAYLOR: Any objection to the submission of the affidavit?

COL. ORLOV: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked PL-24 and mention be made of the request by the defense counsel that same be translated.

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DR. GRUBE: I now submit affidavit #25, pertaining to the question as to what was the significance of the Organization Book in reality. Three affidavits are available which are complementary to each other. Each one of the affidavits explains a different point. We have the first of the three affidavits with the number 25. It was submitted on the 26th of June 1946 by Friedrich Schmitt. Friedrich Schmitt was deputy Gauleiter of Wuerttemberg from 1933 to 1937. Since the first of May 1937, he was chief of the central training amt in the Reich organization leadership. In his affidavit Schmitt proves that he has discussed again and again with the author of the Organization Book Mehnert, about the contents of the book. According to his affidavit, Schmitt has explained to Mehnert repeatedly. First, he was aware that the Organization Book does not reflect the actual situation within the Party. Second, the Organization Book was edited and constructed the way the organization should be constructed only in the future.

COMMISSIONER TAYLOR: Are there any objections to the affidavit?

COL. ORLOV: No.

COMMISSIONER TAYLOR: Let the affidavit be marked PL-25 for identification. No request for translation of the affidavit?

DR. GRUBE: No.

COMMISSIONER TAYLOR: Let's recess for about thirty minutes.

Recess: 1030 hours

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DR. GRUBE: Affidavit No. 26, dated 10 July 1946, submitted by the former organization leader of the Gau Munick, upper Bavaria, Adam Foertsch.

Summary: It first declares that the organizati on book is merely thought out instructions and summary of the plans for the future of the Reich Organization Leaders and experts.

In order to prove that the Reich Organization Leader himself, that is to say, the editor of the book, considered the organization book merely a theoretical work, Foertsch gives the following example:

1. Never has there been any directive of the Reich Organization Leaders became known which required that the matters written in the organization book was actually to be executed or put into practice.

2 The Central Personnel office of the Reich Organization leaders only has given a part of the plans or positi ns in the amts which were provided in the organization book in order that they may be filled.

3. If the intention of the Reich OrganizationBook Leaders would have been not merely plans as shown in the organization book but the final judgment of the party organization, there would have been no reason for the corrected editions of the organization book which appeared within very brief intervals as issued by Dr. Ley.

Foertsch further explains that the organizaton book did not correspond to the real situation within the party and that it had been read by only a few political leaders.

Finally, Foertsch shows that the party of offices rejected sharply the plans of the Reich organization leaders as summarized in the organization book. They declared them untenable since the channels of authority as shown in the organization book were much too sketchy and did not take into consideration in any way at all the difference of the gau Kruse. That would have taken away from the party the required mobility and the possibility to adapt themselves to the prevailihg situation.

MR. TAYLOR: Is there any objection to the affidavit as submitted?

COLONEL ORLOV: No.

MR. TAYLOR: Let the affidavit be marked Political Leader No. 26 for identification.

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DR. GRUBE The third affidavit pertaining to the organization book is No. 27. It is dated the 13th of July 1946 and comes from Hederich and as previously shown by me he was a deputy of the party official examination commission of NS publications.

In this affidavit Hederich shows the following:

1. The Fuehrer himself did not agree to any part of the organization book. He did not wish to make final decisions pertaining to the organization structure of the party. Hitler, however, appreciated the fact that the Reich Organization Leader Ley needed a preliminary working basis. Only for this reason, that Dr. Ley needed a preliminary working basis, was the organization book published.

2. Hederich further shows in the affidavit that he himself discussed with the author of the organization book Mehnert why Mehnert had inserted the block and zellen leiters under the hoheitstraeger, while according to the directives of the fuehrer and the deputy of the fuehrer the block and zellen leiters were not hoheitstraegers.

Mehnert during this conference has explained:

(a) The insertion of block and zellen leiters in his organization book, among the hoheitstraeger was merely a matter of purely organizational form. In the matter itself, that is to say, the position of the block and zellenleiters it should not have been changed in any way by the insertion of the block and zellen leiters among the hoheitstraeger in the organization book.

(b) on the basis of the affidavit of Hederich Mehnert gives the following reasons for the insertion of the block and zellen leiters among the hoheitstraegers in the organization. If Mehnert did not insert theblock and zellen leiters among the hoheitstraegers in the organization book, the organization book besides the real

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hoheitstraeger and their co-workers would require the introduction of a third position category of political leaders. He instead avoided that.

(c) On the basis of the affidavit by Hoderich Hohnert explains that in no case should a collective responsibility as typical of the hoheitstraeger be extended to the block and zellen leiters by their insertion under hoheitstraegers in the organization book.

3. Hoderick finally in his affidavit explicitly states :

(a) In practice block and zellen leiters never could exercise the rights of real hoheitstraegers or were permitted to exercise them.

(b) Ortsgruppenleitors were the last hoheitstraegers towards the bottom, that is, the last political leaders with collective responsibility within the spatial areas, right of meetings and disciplinary authority.

Considering the significance of the affidavit I request that it be translated.

MR. TAYLOR : Let The affidavit be marked Political Leader No. 27 and the request of counsel that the same be translated in full is noted in the record.

DR. GRUBE : The next affidavit originates with Adam Poertsch and is No. 28. He is the former Gau organization leader of Gau Munich in upper Bavaria.

In this affidavit No. 28, dated the 26th of July, 1946, Adam Poertsch shows the following :

There never was a corps pf political leaders, that is, an organized collection or something resembling a corps of political leaders. The political leaders were nothing else but

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party members who were commissioned with the rank of political leaders without their having any special organizational characterization on that basis.

Because of their difference in personal characteristics, on the basis of the difference of their functions and on the basis of the manifold organizations within which they exercised those fonctions the political leaders were differentiated as a number of people and that they could hever have been in practice a corps with an unified idealogy and attitude as for instance the officers corps. The affidavit by Foertsch expresses the fact that the political leaders never could have been put into one organization by the deputy of the leaders which prohibited the characterization "O" for the collectivity of the political leaders, and that the official designation of the political leaders did not ream "members of the corps of the political leaders" and "political leaders of the NSDAP".

Second, in this affidavit No. 28, Foertsch remarks further who, on the basis of Nazi terminology was a political leader. He explains that it was very necessary to differentiate between function and rank. Those who were commissioned with the rank of a political leader were also called political leiters. only a fraction of the people who performed a function in the party were commissioned political leaders. As an example, Foertsch cites that according to an esti ate, the Gau Munich in upper Bavaria, had about twenty per-cent of those people who were functionaries of the party as political leaders. Tge remaining eighty per-cent never were commissioned political leaders though they fulfilled exactly the same functions as the party members who had been commissioned political leaders.

Furthermore, Foertsch in his affidavit states that the area of activity, the wuthority abd responsibility of t ose people who were functionaries of theparty did not depend upon

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their having been commissoned with the rank of political leaders and which rank they were commissioned with. Important only was the function and not the political leader rank. As example given by Foertsch shows that a party member who, for instance, was commissioned with the leadership of an Ortsgruppe and who was given a commission with the corresponding political leader rank had the same authority and functions as an Ortsgruppenleiter who was never commissioned with the political leiter rank.

Furthermore, Foertsch shows in his affidavit that the party officials which called someone to a function within the party were not identical with those offices which commissioned someone with the political leader rank.

For example he gives :

The Amt of the Gau Munich leader was handed out by the Gauleiter, whereas the commission of the political rank as Gau Munich leader was issued by the leader.

Finally, Foertsch states that if any party member on the basis of his being a member of the NSDAP had accepted any function within the party to which he was called, the decision of whether such a functionary should also be commissioned with a rank of a political leader was only up to the Hoheitstraeger without the functionary himself having any influence whatsoever.

DR. GRUBE : Since the problem of who is a political leader is one of the local problems of the trial I believe it necessary that the affidavit Foertsch which treats this question thoroughly sould be translated in full.

Mr. TAYLOR : If ther is no objection to the affidavit, it will be marked Political Leaders No. 28 and the request of Defense Counsel that the same be translated is noted.

Doctor, it appears that you are not writing a summary of these but you are giving more or less a great part of the affidavit.

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DR. GRUBE : The following ones are very much more concise and I could not make the other ones shorter. Foertsch gives a very, very long affidavit and I have discussed it with Mr. Foertsch and asked him to concentrate it, otherwise it would be too long and I wanted to bring the attention of the Commission to parts of the contents and put it into the record.

MR. TAYLOR : Let the affidavit be marked Political Leader No. 28.

DR. GRUBE : In this connection, I am submitting affidavit No. 29, dated 26 July, 1946, from Max von Davidts, who at the last was the leader of the Amt for propaganda speakers and sittung in the central office of the Reich Propaganda Leadership of the NSDAP.

Firstly, Davidts shows in this affidavit what the tasks of the propaganda speakers consisted of. However, the greatest importance of this affidavit is contained in Davidts showing explicitly that there was no political leader rank for the Gau and Reich speaker of the party. Consequently the propaganda speakers of the party were not political leaders. If a speaker for the party was a political leader he was only a political leaderin such cases when a political leader, besides being a speaker for the Reich also had another commission in the party and was commissioned in the political leiter rank on the basis of that function.

MR. TAYLOR : If there is no objection the affidavit will be marked Political Leaders No. 29 for identification.

DR. GRUBE : The next affidavit submitted by me is affidavit No. 30 from Alfons Schaller. During the procedure before the Commission the Prosecution has submitted document Organization No. 12-d-901 A, a circular of the Gau organization

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at Cologne, dated 31 January, 1941. Two affidavits were submitted pertaining to this circular. One affidavit originated with Alfons Schaller, dated the 12th of July 1946.

Alfons Schaller was Kreis leiter of the Kreis of Cologne from 1933 to 1945. He shows in his affidavit the following facts :

1. Schaller states that during the permanent inspection and controls of the Ortsgruppe, of which he was in charge, the card index was used solely in order to collect statistical figures and to summarize them. These statistical facts were needed when questions came up pertaining to children, assistants, marriage loans, issuance of ration points and so on.

2. Alfons Schaller explains explicitly that the household card index as required by the circular dated the 31st of March 1941, never was enlarged to a political card index in any single Ortsgruppe under him.

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MR. TAYLOR: What is the point of these affidavits ?

DR. GRUBE: The prosecution charged the household card indexes were used as political card indexes. To prove this, the Prosecution submitted the document organization 12-D-901 A dated the 31 January 1941, a circular of the gau organization of Cologne.

MR. MARRECO: The submission of the document by the prosecution was that the card indexes were the basis of the spy system for the political leaders and I think this affidavit is relevant.

MR. TAYLOR: Proceed with it then :

DR. GRUBE: Schaller expressly states that the had never found any orts gruppe having over-stepped this prohibition.

3. Furthermore, Alfons Schaller explains explicitly that the lists which were requested by the circular dated 31 January, 1941, were requested by the block and zellen leiters and were not mentioned in any single orts gruppe. Against that circular the card index of the orts gruppe was kept current by the individual households receiving questionaires to be filled out by them.

4. Finally, Alfons Schaller explains that the political forms were exclusively a matter pertaining to the kreis leiter. The kreis leiters here uused the services of the chief of the kreis personnel office. The last mentioned procured the necessary data from the ortsgruppen leiters. Schaller assures most definitely that the block and zellen leiters had nothing to do with the procurement of the material for the political form. The material was procured exclusively by the ortsgruppen leiter who again used the chief of the personnel office for that purpose.

DR. GRUBE: I request a translation of this affidavit because it is very important as it is marked in blue.

MR. TAYLOR: If there is no objection the affidavit as submitted will be marked Political Leaders No. 30 for identification and the request of Defense Counsel for a translation will be noted in the record.

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DR. GRUBE: Affidavit No. 31 by Richard Schaller. This affidavit pertains to the circular of the Gau Organizations Office, Koeln-Aachen dated 31.1.1941. The affidavit is dated 2.7.46 and has received Affidavit Number 31. Reichard Schaller was deputy Gauleiter of the Gau Koeln-Aachen from 1932 ro 1945. In his affidavit Richard Schaller makes the following statement :

First, he is completely ignorant of the circular dated 31 January 1941.

Second, it is true that at one time or the other investigations were made, as to who had subscribed to the "Voelkischen Beobachter". But the purpose was only to ascertain the number of the subscribers of that publication. No political purposes followed with that. If the latter would have been the case it would not have been an investigation as to who subscribed to the Voelkischen Beobachter, but it would have been found out who subscribed to the official party organ of Western Germany, which was the Westdeutschen Beobachter.

Third, no political intents of any kind were inherent in the investigations as to what radio apparatus was available in the individual households. One only wanted to find out figures for possibly instituting common listening meetings during important radio broadcasts.

Fourth, on the basis of the directives of the deputy of the leader in the Gau Koeln-Aachen also, it was not the lower political leiters who were competent for issuing so-called "political judgments", but it was exclusively a matter Hoheitstraeger, and not for Ortsgruppenleiter Aufwaerts, but from Kreisleiter Aufwaerts.

Fifth, affidavit dated 31.1.1941 further requested that the household card index was to contain data pertaining to the procurement of the Swastika flag; further, data pertaining to church affiliations; pertaining also to behavior during one dish and other collections, those directives which can be put only to the account of arbitrary actions on the part of the Gau Organizations Leader, Lindau.

Finally Schaller says in his affidavit that the publisher of this so-called circular had suffered from a severe automobile accident, and that

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this accident had serious consequences on Lindau which caused the Gauleitung finally to consider the mental balance of Lindau.

MR. MARECCO: I don't think that that is very relevant, Sir.

COMMISSIONER: Who makes this affidavit ?

DR. GRUBE: It comes from the Deputy Gau Leader, Richard Schaller. In my opinion, I believe that Schaller, Deputy Gau Leader, must have been well aware of what circulars were issued, and what their contents were. And furthermore, what was presumably in these circulars and how far it corresponded to the directives issued by the Party authorities. For these reasons, this witness is a very important one, to us. We were not able to have him here before the Commission, and that is why we present his affidavit.

COMMISSIONER: What about his mental state ?

DR. GRUBE: That is not the mental capacity of the witness which was referred to, but of his chief, whose deputy he was. The man who issued the circular, not the one who made the affidavit.

MR. MARECCO: No objections.

COMMISSIONER: Let the affidavit be marked Political Leaders No. 31 for identification.

DR. GRUBE: Affidavit 32.

The Prosecution has submitted Document D-728. It is an alleged circular of the Gauleiter Sprenger dated 15 March 1945, addressed to the Kreisleiter of the Gau Hessen-Nassau, and a further circular of Sprenger which is not dated. I am submitting two affidavits pertaining to this document. The first No. 32 was given by Walter Heyse dated 23.7.1946. Since 1925 Heyse was active as closest co-worker of Sprenger in the Gauleitung Hessen-Nassau. He was subsequently Gaugeschaeftsfuehrer, Gaupropagandaleiter, Gauorganisationsleiter, Gauinspekteur, Adjutant des Gauleiters Sprenger, and chief of the Gaupersonal.

Heyss states that he is completely aware of Gauleiter Sprenger's manners, his way of expressing himself and the form in which his circulars,etc., were issued.

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Heyse states explicitly in his affidavit that for this reason he can give competent testimony as to Document No. D-728, the alleged circulars. Pertaining to the external form of these two circulars, Heyse states that as regards style as well as grammatical errors -they are so completely false, those documents, that they could not possibly have emanated from an author who is acquainted with the German language. Heyse states primarily that it was not usual for Party office terminology to address Ortsgruppenleiter, Kreisleiter, and so on, as "Herr" Ortsgruppenleiters, etc., or to use that form in writing. They were merely addressed by their titles. Furthermore Heyse points out that Sprenger, the alleged author of these two circulars, was -as a former civil servant and officer, exceedingly and personally correct where the form and signatures of such writings were concerned; and that he corrected even the smallest errors- if it was merely a matter of punctuation so that it is unthinkable that the two

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circulars, with their innumerable errors of expression and punctuation, originated from him, or that he would even have signed them.

As to the contents of the two circulars, Heyse explains that in the internment camp he has spoken to more than one hundred political leaders. Not one of these political leaders has heard anything pertaining to the contents of those circulars. Heyse himself never has heard anything of the kind. He states that the contents of both circulars are thoroughly contradictory to the entire attitude and conduct of Sprenger.

In conclusion, Heyse states that because of his exact knowledge of things, being a close collaborator with Sprenger for many years, it is completely impossible that Sprenger has published these two circulars.

May I make a statement pertaining to this affidavit?

It is requested that this affidavit also be translated, because charges made on the basis of these circulars are so completely incriminating to the political leader -- and therefore I believe we should be permitted to express our opinion pertaining to the origin of these documents. The copy of the affidavits have set off in blue pencil marking, the various matters which are most important to us. The original also has the same markings in blue.

I request translation of this affidavit.

COMMISSIONER: Will you advise the Commission as to the statement in the affidavit pertaining to the affiant speaking with one hundred political leaders in the internment camp?

DR. GRUBE: It deals with the document of March 1934; and also an undated document. Both documents show only the typewritten name of Sprenger, and not his signature. Both circulars are addressed to the Kreisleiters, and both circulars fail to show in their external form, correspondence with the Party official terminology and make-up.

COMMISSIONER: But the question is -- did the affiant speak with the 100 political leaders in the internment camps?

DR. GRUBE: Yes, that is what the affidavit says.

COMMISSIONER: Any objections to the affidavit?

(No objections).

Let the affidavit be marked Political Leaders No. 32 for identification, and request of the defense counsel for translation be noted in the record.

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DR. GRUBE:Affidavit No. 33, by Dr. Paul Steinhauser.

The second affidavit pertaining to Document D-728 comes from Dr. Paul Steinhauer. It was submitted 26.7.1946, and we marked it with No.33.

In his affidavit Dr. Steinhauser states, firstly, that the defense attorney has shown him photostats of document D-728. Furthermore, he explains that 41 affidavits originating from former political leaders of the Gau Hessen-Nassau were shown him, in the original. Based on statements of Dr. Steinhauser, these 41 affidavits originated with 3 Kreisleiters, 16 Ortsgruppenleiters, 2 Kreisamtleiters and 20 Ortsgruppenamtleiters. Dr. Steinhauser in his affidavit assures as follows:

First, in their affidavits the entire 41 political leiters of the Gau Hessen-Nassau state that they were informed of the alleged circular of Kreisleiter Sprenger for the first time during the visit of the defense counsel in April 1946, or that they came to know of it from a newspaper article in March 1946.

Second, up to the time of capitulation none of the 41 political leiters had become aware that Gauleiter Sprenger had ordered that the Kreisleiters were to retire to the interior of the Reich at the approach of the enemy, that files, etc. were to be destroyed.

Thirdly, none of the 41 political leaders knew anything about the so-called peoples' X-ray examinations with the purpose of destroying sick people.

Fourth, none of the 41 political leaders, particularly not the Kreis or Ortsgruppenleaders, were acquainted with the fact that political leaders and their wives had received more rations at any time, or were to be issued more rations.

Fifth, Document D-728, on the basis of its external appearance, cannot be a Party official letter.

Sixth, sentence structure and style of Document D-728 contain an unusual number of errors against the general German language usage and Party official terminology.

Seventh, the contents of Document D-728 is absurd and in all its points contradicts the orders of the Party.

Eighth, the form and content of Document D-728 make it easy to recognize that this is a forgery.

Translation of this document is requested because of its importance.

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COMMISSIONER: Any objections?

(No objections)

COMMISSIONER: Let the affidavit be marked Political Leaders No. 33 for identification.

The request of counsel for translation of the affidavit is noted in the record.

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DR. GRUBE: The last affidavit submitted by us is an affidavit of Dr. Volkmann pertaining to the Party courts. The last affidavit, No.34. It is dated 14.7.46. Affiant was Chairman of the Supreme Party Court of the NSDAP from 1.11.41-1945. In his affidavit, affiant treats of the problem as to whether Party judges were political leaders. His most important statements can be summarized as follows:

1. The party courts were purely honor courts which were competent exclusively for Party members.

2. During his time of officethe Party judge was not permitted to exercise any Party function, or to belong to any Party organization.

3. Secondly, party judges were not subordinate to the disciplinary authority of the Hoheitstraeger. The Party judges, Hoheitstrager had no command authority, nor the right to issue directives.

4. Up to the 31st of December 1942 the special position of the Party judges was expressed also in the uniform, since contrary to the political leaders they all wore blue velvet collar patches with their uniforms.

5. After new directives were issued on the 1st of January 1943, the Party judges still were not political leaders. They were only to be assimilated to the political leaders corrdsponding to rank and position. Not even that, however, was put into practice.

6. The seventh edition of the Organization Book of the NSDAP for the year 1943 contains an article entitled "Party Judges and Political Leaders." This Organization Book also, which was issued after new directives had been published, shows the Kreis and Gau courts corresponding in rank to the political leaders in contrast to the way it was shown in previous editions. But they are still outside of the staff of Kreisand Gauleiters.

7. Thus, at no time were the Party judges accounted as belonging to the

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staff of the Hoheitstraeger; consequently, they do not belong to the political leaders in the sense of the customary Nazi terminology.

There are only very few parts of this affidavit to be translated, as marked in blue. Since this is practically the only person making a statement pertaining to Party judges I would appreciate it if my request would be granted, for the translation of those parts.

COMMISSIONER: Any objections?

(No objection)

COMMISSIONER: If I understand correctly, this affidavit is from a Judge of the Nazi Party Court?

DR. GRUBE: Yes, it comes from the Chairman of the Supreme Party Court.

COMMISSIONER: .....And represents the attitude and opinions of the Judges of the Party?

DR. GRUBE: .....Who, by the verbatim words of the prosecution, would come within the charges levelled against the political leaders in the indictment filed before the Tribunal.

COMMISSIONER: Let the affidavit be marked Political Leaders No.34 for identification. And the request of defendant's counsel for translation is noted in the record.

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DR. GRUBE: No further affidavits.

COMMISSIONER: No further affidavits to be presented on the part of the political leaders this week?

DR. GRUBE: Yes, there are affidavits pertaining to the trade associations, professional associations, etc.

COMMISSIONER: When will you have them, Dr. Grube?

DR. GRUBE: We could continue this afternoon.

COMMISSIONER: That includes your summary?

DR. GRUBE: No, I have nothing to do with it, really, but they will be ready tomorrow, I understand.

COMMISSIONER: I am pretty sure that you understand that summaries of the affidavits in the compound are to be prepared by the defense ready to submit to the Commission by Wednesday. I understand you have more affidavits for this afternoon.

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DR. GRUBE: It will not be myself, but Dr. Link or Dr. Kraus.

COMMISSIONER: The Commission will adjourn now until two o'clock.

* * * * * * *

The foregoing is a true and correct transcript of the submission of Affidavits by Dr. Grube, taken on 29 July 1946.

Winkler
Reporter

Cpok
Reporter

Biolsi
Reporter

CERTIFIED TO:

Geo. R. Taylor
Commissioner